



U.S. Department of Justice

Antitrust Division

*Liberty Square Building
450 5th Street, N.W.
Washington, DC 20530*

September 18, 2024

VIA ECF

Honorable Julian X. Neals, U.S.D.J.
U.S. District Court for the District of New Jersey
Martin Luther King Jr. Bldg. & U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07102

Re: *United States of America, et al. v. Apple Inc., No. 2:24-cv-04055 (JXN-LDW)*
Joint Letter Regarding Technology Tutorials

Dear Judge Neals:

The Parties respectfully submit this joint letter pursuant to the Court's Letter Order dated September 11, 2024 (ECF No. 100). The Parties are available to present technology tutorials to the Court on November 4, 6, or 12. Plaintiffs express a preference for the tutorials to occur on November 4 or 6.

The Parties agree that they will exchange demonstratives 48 hours in advance of the tutorial. The Parties also agree that a court reporter should transcribe the tutorial.

The Parties agree that the tutorials should be limited to 90 minutes per side, a portion of which could be reserved to respond to the other side's presentation.

Plaintiffs respectfully submit that the anticipated presentation should be from counsel; any presentations from potential future fact witnesses at this stage - particularly without discovery and cross examination - would be premature, confusing, and risk being advocacy. Apple is assessing whether presentation from Apple employees would be helpful to the Court, and if so Apple proposes that they be permitted to participate in the tutorial. Apple submits that any such presentation would be neither testimony or evidence in the case and would be provided for the sole purpose of a technical presentation: to provide relevant, helpful, and clear background information to allow the Court to better understand complex products and technologies. Plaintiffs anticipate submitting a letter on the format of the tutorials as soon as practicable. Apple is also happy to provide further briefing, if the Court would find that helpful.

Respectfully submitted,

/s/ Jonathan H. Lasken

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA et al.,

Plaintiff,

v.

APPLE INC.

Defendants.

Case No. 2:24-cv-04055-JXN-LDW

CERTIFICATE OF SERVICE

I hereby certify that the above letter and this Certificate of Service were served upon defendant's counsel, Liza M. Walsh, Esq., Craig S. Primis, Esq., Devora W. Allon, Esq., and K. Winn Allen, Esq., 1301 Pennsylvania Avenue, NW, Washington, D.C., 20004, by CM/ECF on September 18, 2024.

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